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Attorneys for Plaintiff-Intervenor  
MINERAL COUNTY

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	IN EQUITY NO. C-125-ECR
	)	
WALKER RIVER PAIUTE TRIBE,	)	
	)	
Plaintiff-Intervenor,	)	<b>AFFIDAVIT OF</b>
	)	<b>KELVIN BUCHANAN</b>
vs.	)	
	)	
WALKER RIVER IRRIGATION	)	
DISTRICT, a corporation, et al.	)	
	)	
Defendants.	)	
	)	

STATE OF NEVADA )  
 ) SS  
COUNTY OF WASHOE )

KELVIN BUCHANAN, do declare the following:

1. I was asked to review the returns of service that were not forwarded by the Post Office in the service of water rights holders on the Walker River, which I currently have in my possession and which have been constantly in my possession since I retrieved them from the Post Office. The Post Office informed me that these were returned because of expired forwarding address cards. After I was asked to review the returns, I opened the envelopes that contained these returned service documents not for-


1     warded by the Post Office. There is no reason for these docu-  
2     ments to be any different than those mailed by Mineral County  
3     since they were mailed together with other documents that were  
4     delivered.

5             2. I found that none of the 67 returns that I have  
6     in my possession lacked the Complaint-in-Intervention. The  
7     Complaint-in-Intervention consisted of five (5) pages which  
8     weighed over one ounce. All of the envelopes sent by Mineral  
9     County were weighed by the Hawthorne Post Office. All service  
10    documents required \$2.16 postage. If any envelope had been  
11    lighter by one ounce the postage would have been 23 cents less or  
12    \$1.93. No envelopes weighed by the United States Post Office at  
13    Hawthorne required less than \$2.16 postage.

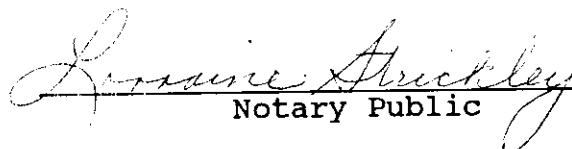
14            3. All but two of the returns contained two extra  
15    pages, one blank page and one extra page which was the last page  
16    of Judge Reed's Order which was included twice. All but two of  
17    the returns were missing the first page of the Points and Auth-  
18    orities in support of the Preliminary Injunction. Two envelopes  
19    contained exact perfect copies with the one missing page included  
20    and the two additional pages not included. Those service docu-  
21    ments with two extra pages and the one missing page were in the  
22    stack of documents copied by Kinko's for Mineral County.

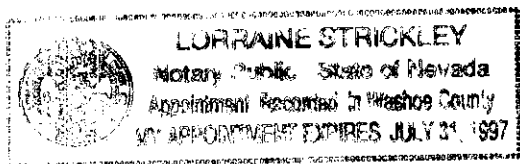
23            4. Walker River Irrigation District alleged that one  
24    packet was missing the Complaint-in-Intervention. Because of the  
25    weight of that document and the postage required, it is highly  
26    unlikely that the Complaint-in-Intervention was missing when the  
27    documents were mailed. I have no opinion as to whether the docu-  
28    ment was lost after it was received by the addressee.

1 FURTHER, YOUR AFFIANT SAYETH NAUGHT.

2  
3   
4 \_\_\_\_\_  
5 KELVIN BUCHANAN

6 Subscribed and sworn to before me  
7 this 4 day of August, 1995.

8  
9   
10 \_\_\_\_\_  
11 Notary Public



CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b), I certify I am an employee of  
ZEH, POLAHA, SPOO & HEARNE, and that I deposited for mailing, at  
Reno, Nevada, a true copy of **\*\* AFFIDAVIT OF KELVIN BUCHANAN \*\***  
to:

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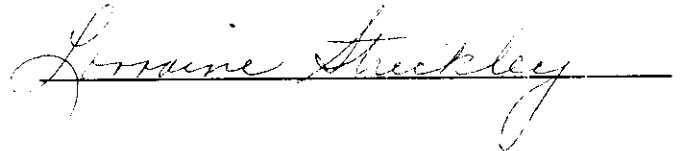
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P.O. Box 2311  
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7  
8 this 4 day of August, 1995.

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